State of Rajasthan vs. LRs of Ugma & Ors.

SB Civil Writ. Petition No.6334/2006

Date of Order: 16th November, 2006.

PRESENT

HON'BLE MR.JUSTICE BHAGWATI PRASAD

Mr. O.P.Boob for the State.
Mr.S.G.Ojha for the respondent/s.

Heard.

This writ petition has been filed on behalf of the State being aggrieved by the order of the Board of Revenue. The Board of Revenue in its judgment has held that the proceedings of the Advisory Committee, Ex.5 and the recommendation of the allotment in favour of the respondent Ugma was recorded as there is a direction also to the fact that possession be given . Ex.6 is the report of Patwari in which possession being handed over to the allottees is there. In Ex.8 also there is the report that possession was given to the allottees. In that view, the learned Board of Revenue was of the opinion that the findings of the learned appellate authority that the respondent Ugma was the original allottee and he was rightly allotted the land and his legal representatives are successors of the original allottee.

In that view of the matter, it is concluded that the findings given by the Board of Revenue are questions of fact, which cannot be gone into in writ jurisdiction. There is no force in the writ petition , the same is dismissed.

(BHAGWATI PRASAD), J.

L.George